

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MAY FLOWER INTERNATIONAL, INC.,

Plaintiff,

v.

TRISTAR FOOD WHOLESALE CO INC.,
THUC NGHI TRAN, MICHAEL G. LIEN, D
& Z SUPERMARKET CORP., SHIZHAN
WU, KATE PIAN, AND “JOHN DOES” 1-5,

Defendants.

**REVISED DISCOVERY
PLAN**

Case No.: 1:21-cv-2891-RPK-PK

It is hereby ORDERED as follows:

1. The deadline for joint new parties or amend the pleadings was March 14, 2023.
2. Automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure have been made.
3. Initial document requests and interrogatories have been exchanged.
4. All fact discovery to be completed by August 11, 2023.
5. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed by August 18, 2023.
6. Ex parte settlement statement due August 25, 2023.
7. Settlement Conference (proposed date) September 6, 2023.
8. The parties shall make required Rule 26(a)(2) disclosures with respect to:
 - (a) expert witnesses on or before September 19, 2023.
 - (b) rebuttal expert witnesses on or before October 20, 2023.
 - (c) Depositions of expert to be completed on or before November 24, 2023.

9. All discovery, including depositions of experts, shall be completed on or before December 1, 2023.
10. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated: December 15, 2023
11. If any party seeks a dispositive motion, date to
 - (a) file request for pre-motion conference (if required),
 - or (b) file briefing schedule for the motion: January 2, 2024
12. Proposed Joint Pre-Trial Order due (if no dispositive motion filed): January 16, 2024
13. Do the parties consent to trial before a magistrate judge pursuant to **28 U.S.C. § 636(c)**?
(Answer no if any party declines to consent without indicating which party has declined.) ☒ No

If parties answer yes, then fill out **the AO 85 (Rev. 01/09) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge** form. The form can be accessed at the following link: <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf>.

14. Status Conference will be held on _____.
* (The Court will schedule the conference listed above)
15. A Final Pre-trial Conference will be held on _____.
*(The Court will schedule the conference listed above.)

This scheduling order may be altered or amended upon a showing of good cause not foreseeable at the date hereof.

Dated: Brooklyn, New York

July 3, 2023

Peggy Kuo

PEGGY KUO
UNITED STATES MAGISTRATE JUDGE